

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

FRANK DWIGHT CARTER)
MISSOURI DOC NO #32421)

(Enter above the full name of
the Plaintiff[s] in this
action. Include register or
identification number[s].)

- vs -

STATE OF MISSOURI DEPT.)
OF CORRECTIONS BOARD OF)
PARDONS AND PROBATIONS)
STATE OF TEXAS BOARD OF PARDONS)
AND PAROLES.)

Case No. _____

(Enter above the full name of
ALL Defendant[s] in this
action. Fed. R. Civ. P. 10(a)
requires that the caption of
the complaint include the
names of all the parties.
Merely listing one party and
"et al." is insufficient.
Please attach additional sheets
if necessary.)

COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983

I. PLACE OF PRESENT CONFINEMENT OF PLAINTIFF(S):

Interstate Compact From TEXAS To Missouri

II. PREVIOUS CIVIL ACTIONS:

- A.** Have you begun other civil actions in state or federal court dealing with the same facts involved in this action, or otherwise relating to your confinement?

YES []

NO [☒]

- B.** If your answer to "A" is YES, describe the action in the space below. (If there is more than one civil action, you must describe the additional lawsuit[s] on another piece of paper, using the same format as is outlined below.) Your failure to comply with this provision will result in summary denial of your complaint.

1. Parties to previous civil action(s):

Plaintiff(s): _____

Defendant(s): _____

2. Court wherein filed:

3. Docket number or Case number:

4. Name of Judge to whom case was assigned:

5. Basic claim made:

6. Present disposition (Was the case dismissed? Was it appealed? Is it still pending?):

7. Date filed:

8. Date of disposition:

III. GRIEVANCE PROCEDURES:

- A.** Is there a prisoner grievance procedure at the institution wherein you are incarcerated?

YES ☒

NO ☐

B. Have you presented through this grievance system the facts which are at issue in this complaint?

YES ☒

NO ☐

MO. PAROLE AND TEXAS PAROLE
BOARDS,

C. If your answer to "B" is YES, indicate:

1. What steps did you take?

I did protest and voice complaint with the
Missouri PAROLE Board and TEXAS PAROLE Boards.

D. If your answer to "B" is NO, explain why you have not used the institutional grievance system:

E. If there is no prisoner grievance procedure at the institution wherein you are incarcerated, have you complained to prison authorities?

YES ☒

NO ☐

F. If your answer to "E" is YES, indicate:

1. What steps did you take?

I TALKED to my Missouri P.O. ABOUT my Complaint
AND FORWARD A LETTER TO TEXAS PAROLE Board and

2. What was the result?

NO RESPONSE.

IV. PARTIES TO THIS CIVIL ACTION:

In item A, below place your name in the first blank, place your present address in the second blank and place your identification number or register number in the third blank. Do the same for any additional plaintiff(s) under Item C, below:

A. Name of Plaintiff: FRANK DWIGHT CARTER

Plaintiff's address: 1828 MORA LANE, JENNINGS, MO. 63136

Identification number: MO. DOC No # 32421

In item B, below, place the full name of the defendant in the first blank, his official position in the second, and his place of employment and address in the third blank. Use Item C for the names, the official positions, and the places of employment and addresses of any additional defendant(s).

B. Defendant LAURA BIRMINGHAM, MATT BOCHANTIN is employed as PAROLE OFFICERS [Missouri] at 8501 LUCAS^{AND} HUNT BLVD
STE 120, JENNINGS, MO. 63136.

C. Additional plaintiff(s) and address(es):

Additional defendant(s) and address(es):

RISSE OWENS TEXAS BOARD OF PARDONS AND PAROLES.

V. COUNSEL:

- A. Do you have an attorney to represent you in the present civil action?

YES []

NO [X]

- B. If your answer to "A" is NO, have you made any effort to contact a private attorney to represent you in this matter?

YES [X]

NO [] ALL POWERFUL STATES OF TEXAS AND MISSOURI, NO ONE WILL CHALLENGE THE

- C. If your answer to "B" is YES, state the name(s) and the address(es) of the attorney(s) you have contacted and explain the results of those efforts:

SCOTT ROSENBLUM, CLAYTON MO.

BOBBY BAILEY, THE STOKELY GROUP

TEXAS ATTORNEY DAVID GONZALEZ, AUSTIN TX.

- D. If your answer to "B" was NO, explain why you have not made such efforts:

- E. Have you previously been represented by counsel in a civil action in this Court?

YES []

NO [X]

- F. If your answer to "E" is YES, state that attorney's name and address:

VI. STATEMENT OF CLAIM:

State here, as briefly as is possible, that facts of your claim. Describe how each defendant is involved. Include also the names of other persons involved, and dates and places. Do not make any legal arguments; cite no cases or statutes. If you intend to raise two or more related claims, number and set forth each claim in a separate

paragraph. Avoid using more space than is provided. The Court strongly disapproves of the stating of claims outside the provided space. Unrelated claims must be made in a separate complaint.

VI. STATEMENT OF CLAIM (continued)

THE STATE OF TEXAS AND THE STATE OF MISSOURI
ACTED IN CONCERT TO LABEL, DESIGNATE AND
CLASSIFY PLAINTIFF AS A "SEX OFFENDER/
DANGEROUS FELON."

PLAINTIFF HAS NEVER BEEN TRIED, CHARGED OR
SENTENCED FOR SUCH OFFENSE WHICH IS INCLUDED
IN HIS OFFICIAL PAROLE FILES, SEE ATTACHMENTS.

ON THREE SEPARATE TRAVEL PERMITS THIS
CLASSIFICATION IS SHOWN EVEN AFTER OBJECTION
TO FIRST PERMIT.

LAURA BIRMINGHAM AND MATT BOCHANIN STATED THAT
IT WAS A MISTAKE IT DOESN'T MEAN ANYTHING.

TEXAS PAROLE BOARD RUSSELL OWENS HAS BEEN FOUND
LIABLE BY A JURY IN TEXAS FEDERAL COURT OF SAM
SPARKS FOR FALSELY CLASSIFYING GRAHAM A PAROLEE
AS A SEX OFFENDER, ONLY MINE WAS TRANSFERRED OUT
OF STATE TO MISSOURI, SEE ATTACHMENTS.

VII. RELIEF:

State briefly and exactly what you want the Court to do for you. Make no legal arguments; cite no cases or statutes.

(Note: If you are a state prisoner and seek from this Court relief which affects the length or duration of your imprisonment e.g., restoration of good time forfeited, expungement of records, parole release decisions, et cetera - your case must be filed on a \$2254 form.)

I would like to view my TEXAS AND MISSOURI PAROLE FILES TO CORRECT INACCURACIES, I FURTHER SEEK PUNITIVE RELIEF, DECLARATORY JUDGMENT AND MONETARY DAMAGES AS THIS FALSE CLASSIFICATION HAS POSSIBLY COST PLAINTIFF FEDERAL EMPLOYMENT WITH THE ST. LOUIS V.A. REGIONAL OFFICE.

VIII. MONEY DAMAGES:

- A. Do you claim either actual or punitive monetary damages for the acts alleged in this complaint?

YES ☒

NO ☐

- B. If your answer to "A" is YES, state below the amount claimed and the reason or reasons you believe you are entitled to recover such money damages:

MENTAL ANGUISH AT THE CLASSIFICATION WHICH POSSIBLY CAUSED PLAINTIFF, A MIDDLE PRISONER, TO SPEND 17 YRS ON A MAXIMUM SECURITY, MENTAL HEALTH RETARDATION UNIT, AND UPON ~~RELEASE~~ RELEASE IT FOLLOWED HIM OUT OF STATE.

- XI. Do you maintain that the wrongs alleged in the complaint are continuing to occur at the present time?

YES ☒

NO ☐

I declare under penalty of perjury that the foregoing is true and correct. Signed this 09 day of JULY, 2010.

Frank Dwight Cuff

09/July/2010
Date

Signature of Plaintiff(s)